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SELECT COMMITTEE TO INVESTIGATE THE
JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: ALEX CANNON

Thursday, August 18, 2022

Washington, D.C.

The interview in the above matter was held via Webex, commencing at 12:59 p.m.

Present: Representative Aguilar.

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Appearances:

For the SELECT COMMITTEE TO INVESTIGATE
THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

- ██████████ STAFF ASSOCIATE
- ████████████████████ INVESTIGATIVE COUNSEL
- ████████████████████ PROFESSIONAL STAFF MEMBER
- ████████████████████ FINANCIAL INVESTIGATOR
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For ALEX CANNON:

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[REDACTED] All right. This is the transcribed interview of Alex Cannon, conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol, pursuant to House Resolution 503.

At this time, I'm going to ask the witness to please state your full name for the record.

Mr. Cannon. Alexander Wells Cannon.

[REDACTED] And, Mr. Cannon, this will be a staff-led interview, though Members may choose to ask questions. At this time, I do not see any members present.

My name is [REDACTED] I'm an investigative counsel with the select committee. With me from the select committee is [REDACTED] to my left, senior investigative counsel; to my right, [REDACTED], financial investigator; and we are joined by [REDACTED] via the Webex who is senior counsel to the vice chair.

At this time, I'd ask your counsel to identify himself for the record and any lawyers with you, Mr. Benson.

Mr. Benson. Daniel Benson, Kasowitz Benson Torres, representing Mr. Cannon, and joining me is Jonathan Gonzales of our firm and Jacob Benson of our firm.

[REDACTED] All right. Now, Mr. Cannon, you are voluntarily here for this transcribed interview. The ground rules for this interview are, first, there's an official reporter transcribing the record of this interview. The reporter transcription will be official record.

The proceeding is also audio and video recorded, and we ask that you do not audio or video record the proceeding.

Please wait until each question is complete before you begin to response, and we'll do our best to wait until your response is complete before we ask the next question.

1 you?

2 A Yes, sir.

3 Q And we see from -- and without getting into conversations you had with your
4 lawyer, in the documents you produced, there are a variety of redactions in those
5 documents. Did you review all those redactions before the production was made to us?

6 A Yes, sir.

7 Q Okay. So it's fair to say that, to the best of your ability, you believe all
8 those redactions and the related substance as indicated on the face of redactions are
9 accurate?

10 A Yes, I do, yes, sir.

11 Q All right. So today, Mr. Cannon, we're going to speak a bit about -- just
12 giving you a roadmap, because we're going to try to make this a pretty relatively quick
13 interview and try to be precise with our questioning and kind of get to the point.

14 We're going to talk a bit about how the recount expense process worked both
15 after the election and also how that's worked since the end of the Trump administration.

16 So, starting on that first question, take us to post-election day. There's now
17 fundraising for elections. What's the process by which expenditures are approved by
18 the campaign?

19 A Are you talking about any expenditure? I mean, it's -- there's a lot of
20 expenditures that happen.

21 Q To be specific, the recount expenses.

22 A So what date -- where are we right now in time? I mean, obviously the
23 recount account and recount fund was used for a number of purposes. But I want to
24 make sure that I'm being responsive to your question.

25 Q No, I appreciate that. So we're talking post-election. So let's

1 actually -- I'm going to show you an exhibit that may help frame some of this, about what
2 we're talking about. It's an exhibit that will be up in a minute.

3 It's an email from you -- that comes to you from an individual named Stewart
4 Crosland. Can you tell us who that is?

5 A Yeah. Stewart Crosland is outside counsel at Jones Day.

6 Q And am I right that Mr. Crosland and Jones Day handled the campaign's
7 efficacy compliance issues?

8 A That is correct.

9 Q Okay. So here's an email that's been marked exhibit 1. It's a November
10 9th email from Mr. Crosland from Jones Day, providing disclaimer language. And, if we
11 scroll to the bottom there, you see that Mr. Crosland --

12 A Sorry, [REDACTED], just one moment. It's very small on my screen.
13 I have to --

14 Q Okay. Is that -- maybe we can zoom in.

15 A No, it was me. It was how I had it laid out. We're fine now.

16 Q Oh, I'm sorry. Okay.

17 All right. Is that better now for you?

18 A Yes, sir.

19 Q Okay. So here you see it's a November 9th email from Mr. Crosland to you
20 and copying Sean Dollman, and it says: This is what a split page would need.

21 It then has a disclaimer that would go at the bottom of a fundraising email. Does
22 that seem familiar to you?

23 A Yeah, it does. It looks like it's from my production, so, yes.

24 Q Yes. And then you see, in the second paragraph there, it says: Your
25 contribution to DJTFP will be allocated to DJTFP's recount account up to the maximum of

1 \$2,800 per individual. Donations to DJTFP's recount account will be used solely in
2 connection with any post-election recounts and election contests and not for the purpose
3 of influencing any Federal election.

4 Have you seen that disclaimer before?

5 A Yes, sir.

6 Q Okay. So here it references a campaign recount account. What did you
7 understand that recount account to be?

8 A So I think I previously gave some testimony on this subject, but after election
9 day, when polls close, a campaign can raise money and make expenditures for two
10 purposes. The first is debt retirement, and the second one is recount.

11 Q And, as far as the latter, the recount option, did the campaign set up a
12 segregated account to handle those recount-related donations?

13 A I believe so, but I -- I don't know all of the different accounts that the
14 campaign has, but I believe that they would've done that, yes.

15 Q All right. And the campaign would've done that to be in compliance with
16 FEC rules. Is that correct?

17 A I don't know if it's required to be in compliance, but my guess is that that -- I
18 can't answer that question, whether or not there's a specific rule that requires it, sitting
19 here today.

20 Q And who would be the person at the campaign who would be tasked with
21 knowing that?

22 A With knowing? I mean, we would've taken advice from Jones Day. It
23 would've been, you know, the treasury team and Sean Dollman.

24 Q And who would know from the campaign whether a segregated account
25 was, in fact, created?

1 A I mean, Dollman, Mr. Dollman.

2 Q So your understanding was, as you just said, that when the funds -- after the
3 debt retirement, any funds the campaign itself was raising would've been for the purpose
4 of post-election recounts and otherwise challenging the election. Is that fair?

5 A I mean, that is -- that is certainly one use of the funds.

6 Q Is there another use that you're aware of?

7 A Well, I mean, I'll tell you that any expenditures that have been made out of
8 recount were made consistent with advice from outside counsel. And I'm not going to
9 get into the substance of, you know, privileged conversations, but outside counsel did
10 provide advice with respect to what can and cannot be paid out of recount, and we
11 followed that advice.

12 Q And I appreciate that, and we're not looking to get into your communication
13 with outside counsel, but we are looking to get a sense of your understanding as to what
14 these funds could and could not be used for.

15 A Well, my understanding is that, like it says in the disclaimer here, it can't be
16 used -- one of the things it cannot be used for is to influence an election. So it cannot be
17 used for electioneering purposes --

18 Q And is it fair to say --

19 A -- the specific definition under FECA.

20 Q And, consistent with this disclaimer that you received from outside counsel,
21 was it also your understanding that it could be used solely in connection with any
22 post-election recounts and election contests?

23 A No, sir, that is not correct. That is not consistent with the advice we got
24 from outside counsel.

25 Q So are you saying that the advice you got from outside counsel is not what is

1 in this disclaimer provided by outside counsel?

2 A Well, I mean, I'm not -- I'm saying that there are categories here of
3 information -- look, this is the disclaimer that they provided to us. We got subsequent
4 advice from outside counsel about how we could use recount funds, and we used the
5 funds in accordance with that advice from outside counsel.

6 I'm not going to weigh in and provide advice on what's, you know, how I interpret
7 this disclaimer. You guys can interpret the disclaimer.

8 Q Okay. Now, so, Mr. Cannon, I want to be clear. Is it -- when you got this
9 disclaimer sent to you November 9th of 2020, it was your understanding that this
10 disclaimer would be what's going out to potential donors of the campaign, correct?

11 A That is correct.

12 Q And when individuals made donations, post-election, to the campaign, they
13 were being told what their money would and would not be used for. Is that correct?

14 A That is correct.

15 Q And when the disclaimer in the second paragraph says it would be used
16 solely in connection with any post-election recount and election contest, that was telling
17 donors what their money would be used solely for, is that fair, at that time?

18 A I suppose -- I mean, I suppose so.

19 Mr. Benson. Excuse me. I think the language speaks for itself, and, you know, I
20 think it was -- I think that it was provided by the same counsel that provided the later
21 advice with respect to the use of the funds.

22 [REDACTED]. No, I appreciate that, [REDACTED].

23

BY [REDACTED]

24 Q But if we scroll up here, Mr. Cannon, you forward this language on to Darren
25 Centinello further up, correct?

1 A I -- I mean, I can't see.

2 Q Yeah. So you forward it to Mr. Centinello, right?

3 A Okay.

4 Q I'm saying -- asking, do you see that?

5 A I see that, yes, sir.

6 Q And then Mr. Centinello, who has a datapier address, then responds: And
7 which disclaimer goes on the email?

8 And says: Standard DJTFP.

9 And then you respond: Both DJTFP and Save America.

10 A Okay.

11 Q Correct?

12 A Yes.

13 Q So is it fair to say that when you forwarded this on to Mr. Centinello, you had
14 an understanding as to what that disclaimer meant, the import of it? Is that fair?

15 A Yeah. I knew it had to go at the bottom. I knew, after election day, we
16 had to change the disclaimer. That's what Jones Day was telling us.

17 BY [REDACTED]:

18 Q Can I ask a, I guess, a mechanical question? And apologies if this doesn't
19 make sense because it is very campaign-finance related. But how can you put two
20 disclaimers at the bottom of an email? Are they -- if they're different? Or do they
21 have to be consistent?

22 A I mean, are there two disclaimers at the bottom of any emails that you've
23 seen?

24 Q No. I'm trying to figure out what you mean when you say "both DJTFP and
25 Save America." Because he says, "which disclaimer goes on the emails, standard DJTFP,"

1 and you say: Both DJTFP and Save America.

2 A I'm not sure, sitting here right now, what I meant by that. I mean, I think
3 what I was getting at was that these are the disclaimers that are to be used on both DJTFP
4 and Save America. But I mean, it's -- we're talking, I mean, this has been almost 2 years
5 now.

6 Q Yeah, no, I understand that. I guess, if it was specific to that instance, I was
7 just curious if it meant the ones that included donations to both entities or if you actually
8 meant emails both from -- I was just trying to figure out what you meant there, what the
9 both was in reference to.

10 A I probably could've answered that question 2 years ago. I don't know right
11 now --

12 Q Okay.

13 A -- sitting here, what I meant.

14 BY [REDACTED]

15 Q All right, Mr. Cannon, I want to show you another email that we've marked
16 as exhibit 2, which is -- we talked about this email previously in your first transcribed
17 interview. And I'm going to start with your -- on the second page of this email. Excuse
18 me.

19 So it's 2 days later from the email we just discussed. It's November 11th, and
20 Cleta Mitchell, a lawyer with Foley Lardner at that time, sends you an email that says: Is
21 there a legal defense fund set up just for Trump campaign, or is that part of the JFC with
22 RNC?

23 Do you see that?

24 A Yes, I do.

25 Q And then you respond: The campaign has a recount fund, and RNC has a

1 legal proceedings fund. There is fundraising occurring through the JFA. In addition,
2 POTUS established a leadership PAC on Monday night that has been added to the JFA.

3 Do you see that, sir?

4 A Yes, I do.

5 Q And that leadership PAC is Save America, correct?

6 A Yes, sir. I believe so.

7 Q All right. If we scroll up further, Ms. Mitchell asks you questions about how
8 they can help, how she can help with money being raised.

9 We'll scroll up further, and then you provide some clarification, and you say:

10 There is no specific name for the recount fund. It's just a segregated, restricted account
11 held -- it says "help," but I think you meant held -- by the campaign. Not sure what Dan
12 Coates has to do with anything.

13 So here -- does this refresh your recollection that you were aware that the
14 campaign had a segregated restricted account to which it raised recount funds?

15 A It appears that at that time that was my understanding.

16 Q Okay. And you would've gotten that understanding from who?

17 A I mean, probably from someone on the treasury team. I mean, it would've
18 been, you know, either Sean, or it would've been Stewart Crosland, I mean, any number
19 of people.

20 BY [REDACTED]:

21 Q Crosland was the attorney, or he was on the treasury team?

22 A No. Stewart Crosland is the partner at Jones Day who worked under
23 Ben Ginsberg, who was providing outside counsel.

24 Q He could've told you about the fund that was created?

25 A Well, yeah, because he would've been the one who advised the campaign

1 whether or not we had to have a restricted -- a segregated account or a non-segregated
2 account.

3 Q Oh, I think we should be more particular. I think my colleague was asking
4 who would've actually told you that the account had been set up. So we want to be
5 careful --

6 A We knew -- sorry. We knew -- I'm sorry. You can finish your question,
7 [REDACTED]

8 Q No. I just want to -- we want to be very careful because there is this issue
9 with your counsel, and we don't want to ask you about communications with counsel.

10 So, understanding that counsel may have said you need to set up a fund, the
11 question of, but who would've told you that the fund had actually been created, it
12 sounded like that would've been more Mr. Dollman or somebody who would've actually
13 been responsible for setting up the fund. Is that fair?

14 A Yeah, that's fair. I mean, they would've had to, in order to raise money into
15 it. I mean, it would've -- through the WinRed process and everything, it would have to
16 be set up. It would have to be aimed at an account. Right?

17 Q Right. And so I think that's what we were asking, is, you say it's a
18 segregated, restricted account, which presumably you may have gotten legal advice to
19 create, but who would've actually created such that money could go in, that would've
20 been Mr. Dollman or somebody on the actual treasury team. That's what we were
21 trying to confirm.

22 A Yeah, I believe that's correct. Yeah, I don't know who else would've been
23 setting up accounts.

24 Q Okay.

25 BY [REDACTED]

1 Q Now, Mr. Cannon, here in this email where you talk about the fundraising
2 through the joint fundraising agreement, you're talking about what's referred to as
3 TMAGAC, correct?

4 A Yeah. I think that was the only joint fundraising committee at that time.

5 Q Yeah.

6 A There might've still been Trump Victory, but I don't think that we were doing
7 small dollar fundraising through Trump Victory.

8 Q And that's my understanding as well from our investigation.

9 So is it then fair to say that the fundraising that's occurring around this time,
10 November 11th, that's going through TMAGAC, the funds that were being raised for the
11 purpose of campaign would've been going to this recount fund, this segregated account?

12 A I don't know the split, though, because the RNC was a part of that, of
13 TMAGAC, the Trump campaign was a part of it, and I believe, at this time, Save America
14 was a part of it as well. So, as of November 11th, I don't know what the split would've
15 been.

16 Q Now, putting aside the split of how the money was actually -- the
17 percentages, but the RNC funds went to whatever the RNC had set up for themselves.
18 Save America went to whatever account Save America set up for itself, and the Trump
19 campaign funds would've gone to this segregated account that you reference here. Is
20 that correct?

21 A Again, there was a waterfall also that was occurring under the JFA at various
22 times. I don't know if as of November 11th, the waterfall had, you know, whether it was
23 a split or whether it was a waterfall within the debt retirement and recount, or whether it
24 was a waterfall with recount on top and debt retirement below. I mean, I don't know as
25 of this date --

1 Q For the purpose of our discussion, once the debt was paid off, as you noted
2 before, the campaign would've then been raising money for the purposes of recount
3 expenses, correct?

4 A Once the debt was paid off -- I mean, I don't think debt was paid off until a
5 lot later because there's -- you know, there's trailing expenses, right? So it's not like all
6 debt was paid off as of a certain date. I'm pretty sure there were trailing expenses.

7 Q So --

8 A There would've been -- there would've been an estimate, I presume, at some
9 point that was made of what the campaign's debt situation would be, and there would be
10 fundraising that would occur to meet whatever that estimate is.

11 Q Yeah. Is it fair to say, which I believe you already testified to, that the funds
12 that did not go towards the debt, that the campaign fundraised post-election, would've
13 gone to this segregated or restricted account that you reference here?

14 A It would have gone -- if it did not go -- so if it went to DJTFP prior to DJTFP's
15 conversion into a multi-candidate PAC, and it did not go into debt retirement, then it
16 would've gone into recount. Is that clear?

17 [REDACTED] Yeah. And I'm sorry so sorry. I just need to followup. I'm
18 probably the one who's the worst at this, so bear with me, apologies.

19 Q When you said the multi-candidate, that's MAGA PAC?

20 A That's correct.

21 Q Okay. So, if I understand you, and I want to make sure -- if I repeat it, I
22 have a better chance of making sure I have it right. So, if the funds were raised to DJTFP
23 and they were not spent on debt retirement, any remaining funds that were not spent on
24 debt retirement would have gone to this segregated, restricted account for recounts for
25 MAGA PAC?

1 A I believe so.

2 Q Okay.

3 A Yes.

4 Q I just want to make sure I got it right.

5 A I mean, that's my understanding of what should've -- what should've
6 happened, but, again, there was constant communication between our treasury team and
7 Jones Day throughout this entire period, so.

8 Q And we want to make sure it's your understanding, understanding that
9 you're not the person hitting these buttons and you may not actually know what
10 happened, just what your understanding of what the process was.

11 A Okay.

12 [REDACTED] Okay.

13 BY [REDACTED]

14 Q Just out of curiosity, and I know this was a while ago, but do you have a ball
15 park of how much money would've been moved to MAGA PAC after the debt was
16 retired -- after the debt was paid off, do you have any idea how much was then moved
17 into MAGA PAC, into the segregated, restricted account?

18 A Well, no, I don't think there would've been money moved into a recount
19 account. It would've been raised into that account.

20 Q Oh, then I misunderstood you a moment ago.

21 A All that happens when a -- so, at the end of a campaign, the principal
22 campaign committee can do one of two things. It can wind down and terminate, or it
23 can convert into a leadership PAC, or if it meets certain qualifications, it can revert into a
24 multi-candidate PAC.

25 The decision was made, with respect to this, predominantly because of a whole

1 host of, you know, legacy civil litigations, that we needed to convert into a
2 multi-candidate PAC because the FEC would not let us shut down the principal campaign
3 committee.

4 Q Okay. And so the money doesn't -- it would just sit and convert into MAGA
5 PAC, and it could only be used for recount. So I guess what I was asking was, after the
6 debt was retired, do you have any idea how much money was left that could then only be
7 used for recounts?

8 A Well, I mean, I object a little bit with -- to the way you're leading me to say
9 that the money could only be used for recounts.

10 Q Oh, if that's not right, correct me, because if I'm getting it wrong, tell me.

11 A I'm not going to -- I'm not going to get into privileged conversations, and
12 we've already agreed to that, but there is guidance from the FEC, there are advisory
13 opinions, that -- and specific guidance that was given to us by Jones Day, about what can
14 and cannot be spent out of a recount account.

15 Now, the recount account has that name. It has that recount account name, but
16 there are other expenditures that can be made, provided they're not being used to
17 influence an election. That is the advice that we got from outside counsel.

18 Q Okay. So I guess let me rephrase my question, and then you tell me if it's
19 still wrong. Once the debt retirement was paid, so the debt was paid off, do you have
20 any idea how much money was left that DJTFP had that would then have to go
21 somewhere else?

22 A No, I don't know, but it would've been -- it would've been publicly reported.
23 I don't know if DJTFP would've had any additional money at that point. I just don't know
24 the answer to that.

25 I mean, it would -- it would all be contained in FEC reports. I mean, everything's

1 publicly reported. So, if money changes accounts or is refunded to another account or
2 moved to another account, that's all publicly reported. Those reports are all reviewed
3 by Jones Day.

4 Q Okay.

5 A As well as staff at the FEC, I'd like to add too, so, you know, we have -- we've
6 been doing this, we've been filing reports now, MAGA PAC, Save America, have been
7 filing reports now for almost 2 years since election day.

8 We have yet to even receive a request for additional information from the FEC on
9 any of the expenditures. And that's a staff level, not talking about the Commissioners
10 upstairs, I'm talking about staff level at the FEC.

11 Q -- I'm sorry. I didn't mean to cut you off. Go ahead, please finish.

12 A Was your question, are RFAs common, are requests for additional
13 information common?

14 Q Yes. Do staff members commonly file RFAs?

15 A Yeah. Those are very common.

16 Q Okay.

17 A You can get -- you can get an RFAI, request for additional information, you
18 can get those for something as simple as, you know, you used the word "consultant"
19 when they would prefer that you use the word "contractor." Right?

20 So these are routine matters that happen at the FEC, and we have -- we've not
21 even received an RFAI, which is why it's sort of, like, you know, I'm a little perplexed as to
22 why this is something that this committee is looking into, just to be completely honest.

23 Q When was the last time -- you said you haven't received one. How long has
24 it been since you received an RFAI?

25 A Oh, I mean, I think it's been quite some time. Again, that would be, you

1 know, a question for -- those usually get sent to the treasurers, right, and then they get
2 forwarded to legal counsel for handling. So --

3 Q Sorry. I just want to make clear who we're talking about. When you say
4 the treasurer, are you talking about Red Curve, or are you talking about Mr. Dollman?

5 A I'm talking about -- well, it would come through me to Mr. Dollman, but I
6 would assume that they're sent to -- I know that they're sent, actually, to Red Curve if
7 there's an RFAI.

8 Q Okay. So, just in terms of understanding the process and making sure
9 we're using the correct terminology, when you say it would go to the treasurer, it would
10 go to Red Curve and then presumably to you and Mr. Dollman to respond?

11 A Yeah. Or to -- or to Jones Day to respond. You know, usually those are
12 handled through either a letter back to the FEC explaining exactly what the report means,
13 or you do an amendment to a report.

14 Q Okay.

15 A That's been my experience. I mean, I haven't -- I am aware that RFAs
16 happen frequently. It's not something that we've gotten a lot from, you know, this
17 particular committee, which is probably the most scrutinized political committee in the
18 history of America politics.

19 Q Which committee?

20 A Donald J. Trump for President, Inc.

21 Q Okay. Well, I wasn't sure. There's multiples, so I just want to -- we try to
22 be particular. When you're saying "the committee," I just want to make sure which one
23 we were talking about.

24 A Yeah. We were talking about a recount account, so I'm talking about
25 Donald J. Trump for President, Inc.

1 Q Got it. Okay. Thank you. That is very helpful explanation.

2 [REDACTED] All right, Mr. Dollman -- Mr. Dollman -- Mr. Cannon,
3 excuse me.

4 [REDACTED] Sorry about that.

5 Mr. Cannon. No, it's okay, you can confuse me with Mr. Dollman. He's
6 stronger and better looking than I am, so it's fine with me.

7 BY [REDACTED]

8 Q Mr. Cannon, we're going to have to head to a little later in November of
9 2020. I'm going to show you what's been marked as exhibit 4.

10 So here -- so it's an email that you sent -- excuse me -- that Mr. Kushner sent you.
11 The initial email is, Sean Dollman actually sends a cash update, and he talks about:
12 Below the screenshot for the current position of the three accounts. And those three
13 accounts, a DJTFP general is the first, recount/legal is the second, and Save America is the
14 third.

15 Do you recall receiving these preaudit cash position updates?

16 A I mean, I recall them because I gave a production to you guys, but I think I
17 testified previously that, if I hadn't done this production, I never would've recalled
18 receiving these, because I don't think I ever really paid a whole lot of attention to them.

19 Q I want to scroll up here, and here Mr. Kushner sent you an email. It says:
20 I'm traveling for a few days -- it's November 29th -- he says: When I get back, let's
21 discuss a new system for paying bills where we need DJT to sign off on them -- and that's
22 Mr. Trump, the President, right, DJT?

23 A I assume so, yeah.

24 Q He says: I want to create a tighter process for going forward. We should
25 have a budget we approve, and it shouldn't go to him unless approved by Sean and Justin

1 and maybe Alex.

2 And that's talking about a budget going to approval by President Trump, correct?

3 A That seems to be what Mr. Kushner's talking about, yes.

4 Q Did you have any other discussions about this so-called new system that
5 Mr. Kushner is referring to?

6 A I don't believe this meeting ever happened. I mean, you know, I don't
7 recall it. I think I had previously testified that I don't recall having a conversation about,
8 you know, a budget going forward or processes for approvals and things like that.

9 Q Were you aware of President Trump's involvement in the approvals of
10 budgets -- post-election budgets?

11 A What time period are we talking about, and what committee are we talking
12 about?

13 Q Between -- from post-election through the end of the administration,
14 January 20th, are you aware of President Trump approving any kind of expenditures by
15 the Trump campaign?

16 A No, I'm not aware of that.

17 Q Okay. Going forward, when the campaign converts to MAGA PAC, is
18 President Trump involved in the process for approving expenses undertaken by MAGA
19 PAC?

20 A I don't believe I've ever had a conversation with him about expenses out of
21 MAGA PAC and whether or not certain things can get paid.

22 Q Well, broader than what conversations you've had, are you aware, from any
23 source, about whether President Trump has any involvement with MAGA PAC's
24 expenses?

25 A I don't know the process. I mean, it would be -- it would be speculation on

1 my part, and I'm just not going to -- I'm not going to speculate on how expenses get
2 approved.

3 Q Do you know how MAGA PAC expenses get approved?

4 A No. I mean, it -- well, wait a second. What do you mean? That's an
5 extremely broad question, right? Because there's obviously some expenses that, you
6 know, are legal expenses that I'm aware of, right? But in terms of what's the process
7 from receiving a bill to a wire going out or a check being cut, in granular detail, no, I don't
8 know that.

9 Q Well, and I appreciate the clarification. You just testified, as far as
10 President Trump's involvement from the election day to January 20th, you don't have any
11 knowledge as to whether or not he was involved in the approval of expenses. Is that
12 correct?

13 A That's correct.

14 Q Now, going after January 20th, and I believe in February when MAGA PAC
15 emerges as an entity, are you aware of whether President Trump has any involvement in
16 the approval of MAGA PAC's expenses, in any way?

17 A I -- I just -- it's -- I don't know. I don't know for sure. Okay? I don't know
18 for sure.

19 [REDACTED] It's okay to say you don't know, Mr. Cannon. We -- this is literally
20 what we're trying to find out, is, who are the people that have the information about the
21 process, because our understanding is, is that a lot of people left, a lot of people don't
22 work for them anymore.

23 It's who was at MAGA PAC or who was running these things or what happened
24 after the transition, that's what we're trying to find out. So, if you're not the proper
25 person who doesn't know, that's fine.

1 If you know who a better person is, who handles the mechanics of that stuff, and
2 say, "Oh, actually I'm not the person, this would be the person," that would be super
3 helpful too.

4 So, if you don't know, we don't want to ask the wrong people the information.
5 But if you do know who the proper person is, we understand people change, just that
6 would be helpful too, so that's fine.

7

BY [REDACTED]

8 Q Do you know who is tasked with the approving expenses for MAGA PAC?

9 A Yeah, I mean, I believe -- so when you say "approving expenses," this is one I
10 really want to make sure we're on the same page, okay, because we may receive, you
11 know, a bill, from a law firm that's representing us in, you know, some civil litigation.
12 Okay? I'll take a look at that because a lot of times I end up working with these people,
13 right? So I'll take a look at that and say: Okay. This seems to make sense.

14 Generally I respond with "this looks good to me" or "hang on, I'm going to call this
15 outside counsel and figure out what the deal is with the bill."

16 After that, I don't know the process.

17 Q Well, what do you do? What's your last step in the process?

18 A My last step in the process is sending an email to somebody who's on the
19 accounts payable group -- it could be Mr. Dollman; it could be Kalina (ph) -- and saying:
20 Hey, this bill looks good to me.

21 Q So is there anyone -- to the extent there's a hierarchy, is there anyone more
22 senior than you that you would confer with or otherwise get approval from before saying
23 yes to someone like Mr. Dollman or Kalina (ph)?

24 A No, there's no one that I would go higher to. They'd go -- would go up to
25 probably Susie Wiles.

1 [REDACTED] And Ms. Wiles works for MAGA PAC?

2 Mr. Cannon. I mean, she's -- she -- I don't know exactly what her employment
3 situation is.

4 [REDACTED] And I'll note for the -- sorry, I'll note for the record that
5 Mr. Aguilar has joined the Webex.

6 Mr. Cannon, feel free to continue your answer.

7 Mr. Cannon. So I was saying I think that ultimately I don't know whether the
8 former President approves expenses, whether Susie Wiles approves expenses, or whether
9 it's some combination of the two.

10 BY [REDACTED]

11 Q So an expense comes -- and do all expenses typically come to you first, or is
12 there another entry point?

13 A No, no, no, no, no. Only things that relate to legal.

14 Q Okay. So a legal expense comes from you; you may do some due diligence
15 to see it's right on your end. You then send that -- you then give an approval for
16 payment to someone like Mr. Dollman or Kalina (ph), and then they, for lack of a better
17 term, go up the chain to get additional approval separate from you?

18 A That's my understanding.

19 Q And who do you understand to be up the chain from Mr. Dollman?

20 A Well, I thought I just answered that.

21 Q Is it just -- is it Susie Wiles and then President Trump?

22 A I -- I mean, I think it's -- again, I don't know what happens after Sean. I
23 believe that there's a report that gets sent to Susie. I don't know what the approval
24 process is after me saying: Hey, this legal expense looks good. This bill, this law firm's
25 bill looks good.

1

BY [REDACTED]

2

Q Mr. Cannon, do you know the relationship between Mr. Dollman and

3

Ms. Wiles, whether she's above him, whether -- how that process works?

4

A Yeah. I think she's -- she's effectively everyone's supervisor.

5

Q Okay. And when you say "everyone," understanding that you don't know

6

exactly who her employer may be or who actually pays her salary, when you say she's

7

supervising everyone, is it your understanding that she's supervising everyone at MAGA

8

PAC?

9

A I mean, everyone at MAGA -- I don't know how to -- I don't -- it's not

10

like -- this isn't like corporate America, you know. I know that that's -- it would be so

11

much more satisfying if it was, but it's -- you know, it's a -- it's a leadership PAC, and

12

people provide certain services to this PAC, provide certain services to other PACs,

13

provide services -- I just don't --

14

Q No, that's very helpful. But if you can explain, like, when you say it's not

15

like corporate America, in what sense? In the sense that, well, they don't all have one

16

employer? They could be doing the job -- like, can you unpack that for me because it's

17

helpful --

18

A There's people -- there's people that volunteer their time. There's people

19

that are 1099 consultants. There's people that are W-2 employees. People move

20

around a lot, you know.

21

Q So, if I'm understanding you, I'm oversimplifying it when I say, quote, they're

22

working for MAGA because that makes it sound like one entity is employing all of them,

23

but it could be that they're collectively doing work for MAGA and paid by all -- by

24

different organizations or structured differently and possibly not even be employees. Is

25

that a fair re-characterization?

1 A Yeah, I think -- I mean, for some -- some people might be employees. Some
2 people might have their own consulting businesses. I don't know whether -- what
3 they're charging what clients, what they're doing.

4 Q So is it more accurate for me to say the work that they're doing for MAGA
5 PAC that Ms. Wiles is reviewing in some capacity?

6 A Yeah. I mean -- go ahead.

7 Mr. Benson. Pardon me, pardon me. I mean, I think you're asking Mr. Cannon
8 for speculation. I don't know what the point of that is.

9 ██████████ I'm asking Mr. Cannon to clarify because he clearly has expertise in
10 this area, and in our attempts to be clear -- and what I don't want to do is to accidentally
11 misstate something, to Mr. Cannon's point, if my experience in corporate America is
12 making it so that I'm not asking the question properly.

13 His explanation and clarification is very helpful. He provided, based on his
14 knowledge and expertise, a very helpful explanation that then prevents me from
15 miswording the question. So that was incredibly helpful. I didn't see it as speculation.
16 My understanding was, it was an explanation based on knowledge and expertise.

17 Mr. Benson. That is fine. You know, whatever you think is helpful is fine, but,
18 you know, it's calling -- asking him to speculate who approves what, where, when
19 probably doesn't make a lot of sense. And I just want to remind you that --

20 ██████████ No, I'm just asking for his understanding of the process.

21 Mr. Benson. -- I want to remind you that we have a hard stop at 3 o'clock, so.

22 ██████████ Yes, sir. I just want to -- we wanted his understanding of the
23 process, and I think he's provided that.

24 Mr. Benson. Great.

25 BY ██████████

1 Q All right. Mr. Cannon, let's move forward to the formation of MAGA PAC in
2 February of 2021. Were you involved in that process, the formation or conversion of
3 Trump campaign to MAGA PAC?

4 A I would've been aware of it, yeah.

5 Q And who handled it? Who was, you know -- if you were aware, who was
6 the person who was actually handling the actual nitty-gritty of that work? Was that
7 outside counsel?

8 A I don't know how nitty-gritty it is. I think it's just filing a form with the FEC.
9 That would've been probably Red Curve.

10 Q And when the Trump campaign converted to MAGA PAC, were you aware of
11 the amount of money the Trump campaign had on hand, cash, from its post-election
12 fundraising?

13 A No, I don't believe so.

14 Q Is it fair to say the Trump campaign did have millions of dollars on hand?

15 A I don't know. Whatever it would be, would be in an FEC report.

16 Q Now, prior to -- prior to the administration -- the conversion to MAGA PAC,
17 who on the campaign team was responsible for -- let me rephrase that.

18 What involvement, if any, did you have in disclosures made to the FEC about what
19 an expense was? So, when you look at FEC reports, it indicates, here's what an expense
20 is. What involvement did you have, and if you weren't involved, who did you
21 understand to be involved from the campaign side?

22 A No, I wasn't reviewing FEC reports or filling in FEC descriptions. Are you
23 asking about the descriptions in the reports?

24 Q Yes, sir.

25 A Yeah. The descriptions would've been probably done based on GL codes

1 that kick something out into a report. That would've been reviewed by, you know,
2 probably internally at Red Curve, and it would've been reviewed by Jones Day.

3 Q And when you say "GL code," what is a GL code?

4 A A general ledger code.

5 Q Can you give us a little bit of detail how that works?

6 A No, I can't tell you how it works. I just know that there's a whole bunch of
7 codes that go in for certain types of expenditures, right, whether it's a legal expense or
8 whether it's, you know, an administrative expense, a supply expense.

9 Q So an expense comes in and when someone's putting it for the purposes of
10 an FEC disclosure, this is when they use this GL code?

11 A No. I think when it's getting processed for payment, there's a GL code
12 used. Again, I think this is something that Mr. Dollman probably could speak better to
13 than me.

14 Q Okay. And is there someone -- are you aware of anyone, besides kind of
15 the accounts receivable folks or the kind of number crunchers, would you expect that
16 someone on the campaign who would have substantive knowledge of the expense would
17 be included in the process? Meaning, they would weigh in as to whether or not that GL
18 code was accurate?

19 A Whether the GL code is accurate, no.

20 Q Or the use of it. Let me simplify. So what I'm trying to understand is that
21 an expense comes in, the campaign pays for something, \$80,000. That then ends up on
22 a FEC disclosure form listed a certain way, right?

23 So someone at Red Curve, they don't work for the campaign, they can't say that
24 expense is, in fact, this thing to be disclosed. I'm trying to get an insight from you, to the
25 extent you have it, from an expense coming in, what's your awareness as to how that

1 ends up on an FEC disclosure as a certain item?

2 A I don't know the answer to that. I mean, I assume Red Curve gets the
3 invoices and they take a look at it. I mean, the treasurer has -- you know, is the ultimate
4 party that has responsibility for the FEC report. So I assume there's a pretty significant
5 amount of diligence that takes place. This is how these people make their living.
6 They're professionals.

7

BY [REDACTED]

8 Q When you're saying "treasurer," we're talking about Red Curve? I just want
9 to be clear that we're not misunderstanding when you say "treasurer."

10 A When I say "treasurer," I'm talking about Bradley Crate --

11 Q Okay.

12 A -- who is listed on the Form 1s.

13 Q Thank you. Okay. Because I continuously forget Mr. Dollman's title, and I
14 thought he was treasurer of DJTFP at one point. So I just want to make sure we're
15 talking about the proper treasurer.

16 A Okay.

17 [REDACTED] So just to put a fine point on it, Mr. Crate would've been
18 the person responsible in doing the due diligence to ensure an FEC disclosure is true and
19 accurate?

20 Mr. Cannon. I mean, what do you mean by true and accurate, like what --

21 Mr. Benson. Alex, if you know.

22 Mr. Cannon. Him or someone on his team.

23

BY [REDACTED]

24 Q And is it -- to the extent that you know, because what we're trying to figure
25 out, presumably there's some interaction between the people who know what these

1 expenses are, because Mr. Crate is a separate entity. But are there people from Red
2 Curve who sit with the committee and have a substantive knowledge, or does the
3 committee give that information to Red Curve, if you know?

4 A During the campaign, the entire treasury team were Red Curve folks, I think,
5 maybe with the exception of Sean Dollman.

6 Q Okay. So they sit in the sauce, so to speak --

7 A Yes.

8 Q -- seeing what the expenses are, and then they provide these GL codes.
9 And I think earlier you said something along the lines of, at some point there might be
10 Jones Day interaction with the Red Curve folks? Did I --

11 A Yeah, there would've been -- if there was ever a question about how
12 something was categorized, there would've been conversations with Jones Day.

13 Q Would Red Curve have those conversations, or would somebody from the
14 campaign or the committee have those conversations?

15 A I don't know.

16 Q Okay.

17 A It depends.

18 Q Okay. Could it be both?

19 A Yeah, it could be both.

20 Q Okay. And so those conversations would happen, and then it's your
21 understanding that as treasurer, Red Curve would enter that information in the FEC
22 filings. That's their job as the treasurer?

23 A It creates a report. The reports are reviewed by outside counsel. They
24 get filed with the commission.

25 Q Okay. Got it.

1 [REDACTED] That's helpful, Mr. Cannon.

2 All right, Mr. Cannon, and thank you for giving us -- we're trying to be efficient
3 with your time, so we may take little moments here and there to make sure we're
4 moving at a good pace.

5 [REDACTED] We're watching that 3 o'clock clock, I promise, so we're trying to be
6 effective.

7 [REDACTED] Yeah. Yeah, we are.

8

BY [REDACTED]

9 Q All right, Mr. Cannon, I want to move ahead and talk -- I think your counsel
10 has previewed that we want to talk a bit about the work with the National Archives and
11 the relation to some disclosed payments from MAGA PAC and get a sense of that with
12 you.

13 So can you tell us about when you first started working with -- or MAGA PAC first
14 started working with 2M Management? When was that, about when?

15 A I'm not sure the exact date. It would've been sometime in, you know, first
16 or second quarter of 2021.

17 Q And what triggered that?

18 A There was a House Oversight investigation into the administration's COVID
19 response, and there were a large number of documents that were coming through that
20 needed to be processed.

21 Q Okay. So there's a request. Those documents are then -- it's
22 President Trump's records -- and then is Mr. Trump provide -- given an opportunity to
23 review those documents before they're disclosed to the House committee? Is that
24 right?

25 A That's a summary of the Presidential Records Act.

1 Q Yeah.

2 [REDACTED] As long as we got --

3 BY [REDACTED]

4 Q Okay. And can you briefly explain what it is that 2M Management does for
5 MAGA PAC?

6 A They're an e-discovery vendor.

7 Q So they do -- effectively they review -- a first level review of documents for
8 privilege and other related matters, something of the sort, and they process the
9 documents?

10 A Yeah. So you get, you know, 30,000 emails that need to be turned around
11 in 15 days, and they'll take a first cut through that.

12 Q And after, the second cut, then that's when -- after the second cut, you or
13 Mr. Clark may come in, Justin Clark, and review those documents then?

14 A Correct.

15 BY [REDACTED]

16 Q A moment ago you said the House Oversight into COVID Response, was that
17 the Select Committee on COVID, or was it a different committee?

18 A Sorry. It was Select Committee on COVID. I apologize.

19 Q No. It's okay. I just wanted to clarify --

20 A I'm referring to you guys as the select committee.

21 Q We're not that select. There's actually multiple select committees as it
22 turns out.

23 A Yeah. I'm learning this.

24 BY [REDACTED]

25 Q Yeah. So initially the MAGA PAC, or MAGA PAC/Elections LLC engaged 2M

1 to handle the response to the COVID Committee's request though, right?

2 A Yes, sir.

3 Q Okay. At that initial time, so let's go, I believe your retained -- the retainer
4 to 2M is dated April 14th of 2021. Public disclosure stating the first payment is -- it's
5 March 30th of 2021. So, around the March/April time, does that sound right, that's
6 when this process -- around when this process was up and going with 2M?

7 A Yeah, I believe so.

8 Q And you also produced a variety of documents related to conversations with
9 Melra (ph) that had to both do with the Select Committee on January 6th and with the
10 COVID Committee. It appears, on reviewing these documents and other information we
11 received, that for the first, at least through the summer if not late summer, the work that
12 2M was doing with regard to the National Archives records, all have to do with the COVID
13 Committee's request. Is that correct?

14 A Yeah, with respect to Archives. I don't remember when the first -- when
15 the first request came in from January 6th, but, yes.

16 Q I believe -- I believe the first request was actually not the January 6th
17 Committee but a variety of House committees. But based on your production, I believe
18 the first notice of a production for January 6th was around August 30th -- was on August
19 30th is what I note for the first production being ready. Does that sound consistent with
20 your memory?

21 A Probably, yes.

22 Q Okay. Now, for the approval process regarding payments to 2M
23 Management, were you in charge of that?

24 A I mean, the invoices would've been sent to either me or Justin Clark.
25 Sometimes they were sent to Sean Dollman.

1 Q And when an invoice came in from 2M Management, what would you do
2 with those?

3 A I'd review it.

4 Q And, if you approved it, what happened next?

5 A I'd say it's approved for payment.

6 Q And who would you tell that to?

7 A Someone on the treasury team. It would've either been Mr. -- whoever
8 sent me the invoice. It could've been any number of people. It was usually either
9 Mr. Dollman or a young lady named Kalina (ph), and I'm blanking on her last name.

10 Q And does Kalina (ph) work for Red Curve?

11 A I believe so, but I'm not certain.

12 Q And, after that process, you approved it, did you have an understanding as
13 to what happened next?

14 A No. I mean, it got paid.

15 Q Okay. Was there anyone else besides you that would have to approve it
16 before it got paid?

17 A Yeah, I think -- I mean, that's what I'm saying. I think it -- there was like
18 a -- I think that there's approval level above Sean. I'm just not sure what it looks like.

19 Q Okay.

20 BY [REDACTED]

21 Q And, just to be clear to that point, without going into the details and any
22 kind of work product, your review of it is because you are -- Elections LLC is the counsel,
23 and you're reviewing it for substantive? Did they do the work? Like, is it consistent
24 with what we directed them to do? It's a substantive review of what they're billing you
25 for, correct? It's not approval for it to be paid; it's a confirmation that that was, in fact,

1 the work performed, and from our perspective, they did that?

2 A Yeah, that's correct.

3 Q Okay. The question of whether it gets approved to be paid or whether
4 there's any negotiation, anything beyond that, would be either somebody at MAGA PAC
5 or -- I mean, I don't know that Red Curve does that, but that would be somebody else in
6 the process, right?

7 A If there's any -- well, I mean, yeah, I'm not aware of any negotiation on 2M
8 bills.

9 Q Okay.

10 BY [REDACTED]

11 Q Okay. Now, Mr. Dollman, we've looked at the -- and I think it's clear what
12 the focus of our inquiry here, what we want to gain an understanding from you. We've
13 looked at the FEC disclosures related to the payment that 2M Document Management,
14 what we are calling 2M, and those FEC disclosures indicate how the -- for the vast
15 majority of these expenses indicate a disbursement description of recount research
16 consulting and are all labeled as recount.

17 Is that something you were aware of at the time, that they were being labeled as
18 such for FEC purposes?

19 A Are you saying that every 2M bill is labeled as recount? I don't think that's
20 the case.

21 Q No, I'm not saying that. I'm saying the vast majority, and the ones that are
22 not labeled recount research consulting are labeled research consulting. And I'm happy
23 to show you a summary if that's helpful.

24 A If you want to show it to me, I'm happy to take a look at it. I don't know --

25 Q Sure. I'll show you what we've marked as exhibit 5. This is basically an

1 export of the FEC payments that MAGA PAC has made to 2M Management to the present
2 day that have been disclosed.

3 A Okay.

4 Q So you can see, it has under "disbursement description," it has -- that's
5 what's been provided to the FEC. And then the FEC documents, as we understand them,
6 allow for an indication when something is recount -- is a recount expense, as we've been
7 discussing earlier with the recount account, and here it indicates for those items that
8 have been labeled recount research consulting or labeled also recount.

9 And then some items, starting in March of this year, do not have a recount label,
10 instead are just labeled as research consulting. So, going back to last year, when these
11 disbursements begin, were you aware that these, at the time they were disclosed, were
12 being labeled as recount research consulting?

13 A I don't know.

14 Q As in you don't recall?

15 A Yeah, I don't recall what my knowledge was at the time.

16 Q Okay. Prior to me just telling you this, were you aware that the FEC
17 disclosures labeled the payments to 2M as recount?

18 [REDACTED] Wait a minute.

19 [REDACTED] Okay. I think your lawyer might've --

20 [REDACTED] I think Mr. Benson got kicked out. Hold on one second.

21 [REDACTED] Dan, are you back in?

22 Mr. Benson. Yeah. Now I can -- I'm back in now.

23 [REDACTED] Okay. How long were you gone? Anything -- did you
24 miss -- I don't know how long you were out for.

25 Mr. Benson. Like a minute, I guess, something like that. Right before you put

1 up this document, I think.

2 [REDACTED] All right. So, just to catch you up, Dan, what I pointed
3 out so far is that there's a column that says "disbursement description." It says "recount
4 research consulting," and I asked Mr. Cannon whether at the time, going back to March of
5 last year, whether he was aware that the FEC disclosures listed the payments to 2M as
6 recount. And Mr. Cannon said --

7 Mr. Cannon, you want to tell us again what your answer to that was?

8 Mr. Cannon. Yeah, I just don't recall at the time, you know, whether I knew they
9 were being -- it was recount or not recount at that time.

10

BY [REDACTED]

11 Q I just want to draw a distinction. Are you saying you don't recall whether it
12 was disclosed as such, or you don't recall whether or not it had anything to do with
13 recount? I wanted to see how broad of a response you gave me.

14 A All of the above. I mean, I just don't -- I'm not involved in that level of
15 granularity with respect to how things get reported.

16 Q Okay. Are you involved with respect to where the funds are coming from
17 that pay for 2M services?

18 A I mean, again, to the best of my knowledge --

19 Q And, just to be clear, I'm not asking you whether something is justifiably
20 labeled as something or not. I'm just asking, do you have knowledge as to where these
21 funds are coming from?

22 A At a certain point, probably, but I mean, we would've had broad discussions,
23 and I don't recall those discussions, but they would've involved outside counsel.

24 Q Now, earlier you -- we saw that you were aware that the campaign had a
25 recount account that you referenced with Ms. Mitchell, and you reference it in other

1 documents. Are the funds that are being paid to 2M here, did any of those funds come
2 from that account?

3 A If it's labeled recount, I would assume so, but I mean, I'm not tracking
4 dollars.

5 Q And, when you say you assume so, is that because you assume that it's
6 being --

7 A I assume the accuracy of the report.

8 Mr. Benson. Pardon me, Alex. Do you have personal knowledge of that -- of
9 this?

10 Mr. Cannon. Of the report?

11 Mr. Benson. Of the question -- of the answer to the question.

12 [REDACTED] Did they just freeze?

13 Mr. Cannon. No, I'm here. I don't know if Dan froze.

14 Mr. Benson. I'm here. Can you hear me?

15 Mr. Cannon. Sitting here right now, I do not know exactly the discussions that
16 took place on how 2M's bills would be allocated. But I'm -- that's it.

17

BY [REDACTED]

18 Q Sorry, sir. Can you repeat that again? So sitting here today, you're not
19 aware of what?

20 A I'm not aware of any specific bill or -- I'm aware that discussions took place.
21 I can't get to any level of granularity with you on, like, specific bills and specific -- you
22 know, what was allocated to what. I just have to assume that what you guys put up,
23 which is something that you all created based on an FEC report, is accurate.

24 Q Well --

25 [REDACTED] I'm sorry. When you say you're aware that discussions took place,

1 can you unpack that? What do you mean you're aware that discussions took place?

1

2 [2:00 p.m.]

3 Mr. Cannon. As I said from the beginning, every expenditure that was made out
4 of the recount fund was consistent with advice that we received from outside counsel,
5 and that outside counsel was Jones Day.

6

BY 

7 Q Okay. Oh. All right. So you're saying, based on reviewing what we put
8 in front of you that said "recount:", based on your understanding of how every
9 expenditure from the recount fund would go, there would have been some discussion
10 between Red Curve -- or, excuse me, I don't want to put words in your
11 mouth -- somebody at MAGA PAC and outside counsel? Is that fair?

12 A Not for every line item.

13 Q No, no. I'm --

14 A Every time you get legal advice from somebody, you don't go back and ask
15 for it again, right? You get advice and you follow the advice.

16 Q Okay. So -- and that's what we're trying to unpack.

17 So what you said a moment ago, "aware of discussions," it's based on your
18 understanding that for recount expenses there's at least one discussion had as to
19 whether, we'll say, a certain type of expense could be qualified as that. And so your
20 understanding is there would've been discussions with Jones Day outside counsel at least
21 one or more times about those expenses because it says "recount"?

22 A Correct.

23 Q Okay.

24 And if I'm understanding you, you're not in those discussions; you just understand
25 the process enough to know, if it says "recount," at some point there would've been a

1 discussion between Jones Day and somebody at MAGA PAC.

2 A I mean, I'm not going -- again, I'm not going to get into the substance, but I
3 think you're putting words in my mouth by saying I was not involved in any of those
4 conversations.

5 Q Oh, no, no. Sorry. That was the impression I got when you said you had
6 an awareness. If you were involved in those conversations, correct me. I just got the
7 impression you weren't. I'm not trying to put words in your mouth.

8 Were you involved in those conversations?

9 A Yes.

10 Q Okay. So your awareness of those conversations comes from being
11 involved in the conversations with people at MAGA PAC and Jones Day about what could
12 be used for recount expenses.

13 A Correct.

14 Q Okay.

15 BY [REDACTED]

16 Q And, Mr. Cannon, when we see disbursements being labeled as "recount" in
17 FEC disclosures, it's your understanding that that indicates that that would've been paid
18 from what we've been calling the recount account. Is that fair?

19 A I believe in the accuracy of the reporting.

20 Q And so, based on that belief, is what I said then accurate, that, based on your
21 belief, that these disclosures are indicating that the payments came from what we've
22 been calling the recount account?

23 A If that document you put in front of me -- it's not an FEC report. That's a
24 summary you guys had put.

25 [REDACTED] Yeah. It's --

1 Mr. Cannon. You're asking me to verify one of your documents that you've
2 created.

3

BY [REDACTED]

4

Q Well, it's just the export Excel from FEC. You know how you export --

5

A Okay. I mean, I don't know that. It's not our report, right?

6

Q No, no --

7

A You're not showing me portions of the report.

8

Q Right. No, I'm telling you that just so you feel more comfortable about

9 what we're showing you, that it's just the export function of the FEC website. It's just, it
10 comes in an Excel, and we made it into something that was understandable, because the
11 columns are kind of ugly. So it's just something that's easier for your eyeballs to see, but
12 it's an export of FEC data, effectively.

13

A Okay. Yeah. If that's all correct and it shows that it's recount, then, yes, it
14 would be my understanding that it'd be paid out of recount.

15

Q Mr. Cannon, if you'd feel more comfortable, it's a little trickier and it's not as
16 pretty, but we can pull up the FEC website and use that. I mean, I don't want you to
17 have any concerns about that. It's just easier on the eyes in the format that we put it
18 into, an Excel spreadsheet.

19

But I don't want you to have any concerns about where that data is coming from
20 or its accuracy. So if you -- I'm cognizant of the time, but I also want you to be
21 comfortable with what we're showing you. So if you'd like us to do that, we are happy
22 to do that.

23

A Well, no, I think I've answered the question. If it's labeled on the report as
24 "recount," it's my understanding it would've been paid out of recount.

25

Q Okay.

1 And just to be clear -- because I think you've made this clear -- because it said
2 "recount," not on every single expense, but you would've consulted with Jones Day about
3 whether it could be qualified as such?

4 A There were conversations with Jones Day.

5 Q Okay.

6

BY [REDACTED]

7 Q Now, Mr. Cannon, we also talked -- you provided a variety of invoices related
8 to work from 2M Management, and I just want to briefly go over some of those items and
9 just get a sense of -- without getting into privileged conversations with counsel, but just
10 so we can get a sense of what you meant by some of the labels on some of these
11 redactions.

12 So, starting with -- there are a variety of retainers that you produced paying an
13 initial fee -- initial amount. The first payment, according to FEC disclosures, is for
14 \$650,000. But then there are what appear to be \$100,000-a-month retainers being paid
15 to 2M Management. Is that correct?

16 A That's correct.

17 Q And when we look at those payments going in March and then May and
18 going through the summer, those payments would've been in regards to responding to
19 the COVID committee's request to NARA. Is that right?

20 A I don't know what other work they were doing now. I mean, 2M does a lot
21 of work.

22 Q 2M does a lot of work for MAGA PAC you're saying?

23 A Yeah. I mean, we have civil litigations that are ongoing, one of which
24 relates to the Coomer case, right, which is a defamation case that a Dominion employee
25 brought. There are technology fees. There's research projects that they undertake.

1 I mean, you know, all these questions are -- you're going down a path where
2 you're really starting to call for privilege here on a whole host of issues.

3 I did my best to provide you guys with information that you needed to do the
4 math exercise that I understand you wanted to without waving privilege that's not mine
5 to wave.

6 [REDACTED] And that's very helpful. And we definitely want to -- I mean, we may
7 not necessarily agree where the parameters of the privilege are, but to the extent that
8 you feel that they're somewhere, like, we definitely, you know, want to have that
9 discussion. It's obviously not our intention to go into privileged material. We may not
10 agree on where the privilege line is, but we certainly want to approach it with caution and
11 have that discussion if that comes up.

12

BY [REDACTED]

13 Q Now, Mr. Cannon, it's our understanding from our investigation thus far
14 that, while 2M did other work, the vast majority of work that MAGA PAC has been billed
15 for through the summer is related to the COVID committee's request.

16 Do you have any reason to think that that's not accurate?

17 A I just don't know exactly everything they were doing at that point. I mean,
18 we may have brought them on to do some research as well into some of the stuff that
19 happened on January 6th.

20 Q When you say you may have, is that something that you're recalling? Or --

21 A Yeah, recalling -- I'm --

22 Q -- when you say "recalling" --

23 A I'm recalling that.

24 Q Okay. So you're saying in the summer there was work that 2M was
25 brought on to research regarding what happened on the 6th?

1 A Yeah, I mean, after the COVID stuff.

2 Q Now, when you say "after," when that was complete, or -- I just want to get
3 a sense of just timing.

4 A I don't know.

5 These guys are really, really good. These guys are really good. They do a lot of
6 work for us. It falls into different categories. We do our best to categorize it
7 appropriately.

8 That's it.

9 Q Okay.

10 Now, starting in November of 2021 -- you provided an invoice that's labeled
11 "November 18, 2021," that has a redaction, "COVID NARA." And then, from then on, we
12 then have a variety of different -- it looks like the items start being broken out. Like you
13 just said, you were doing your best to break them out.

14 Is it fair to say that initially MAGA PAC was paying just a pure retainer but then
15 later on attempted to break out the work by invoice?

16 A Yeah, I think as they started to take on more work, we started to ask them to
17 create additional sub-matters.

18 Q Okay. And so when we see redacted "COVID NARA," for example, did that
19 relate to a request from the COVID committee for documents from the National
20 Archives?

21 A Yes.

22 Q And when we see "civil litigation/other," does that refer to, like, the
23 Dominion case you just talked about, other litigation that the campaign might be involved
24 in that may be something else but it's just pure civil litigation, not related to NARA?

25 A Correct.

1 Q And when we see "J6 NARA" listed in some, is that request from the
2 subcommittee on January 6th to NARA for documents and their work related to
3 processing those documents?

4 A Correct.

5 Q And when we see "J6 other," what does that relate to?

6 A So they may be processing documents and have relationships with people
7 who are represented by counsel that came in and produced documents to you guys -- or
8 to your committee.

9 Q So, for example, if our committee asked a Trump
10 campaign employee -- former employee for documents, MAGA PAC may have paid their
11 expenses of processing those documents in order to be produced to the Select
12 Committee on January 6th?

13 A They may have paid for those expenses, yeah.

14 Q Okay. And when those expenses were approved -- let's call them the
15 third-party witnesses -- were you involved with approving those expenses?

16 A I mean, I would see the invoices, right? But I have no visibility into what
17 outside counsel was doing with 2M or counsel for a third party was doing with 2M.

18 Q So, if someone from MAGA PAC, for example -- this is just a
19 hypothetical -- Mr. Dollman has his documents produced through 2M Management, do
20 you or anyone else at MAGA PAC have ability to see Mr. Dollman's documents or
21 otherwise involved substantively in that process?

22 A No. No, we wouldn't see the documents that would be processed. That
23 would be -- I would never do that.

24 BY [REDACTED]:

25 Q Real quickly, is there an approval process? If a third party wants to use 2M

1 and have MAGA PAC cover the expense, how would a third-party witness go through that
2 process or get approval to be --

3 A In the same way that they would get, you know, legal fees paid, right?

4 Q What is that process, to the extent that you know?

5 A I mean, you know, it can come in from multiple angles. It could be
6 somebody calls Susie, somebody calls Sean, somebody calls Justin. We ask Susie, is this
7 something that, you know, we're willing to help this person out? There's a process. A
8 lot of that process is privileged too, right?

9 Q Well, actually, usually, the information on who's paying attorney fees isn't
10 privileged --

11 A No, but the process and how we make a determination on whether or not an
12 individual is going to have their -- gets an assistance is privileged.

13 Q And, to be clear, I'm not asking about your internal deliberations as to how
14 you decide whether to do that. I was asking in terms of the general process.

15 Sounds like you say somebody reaches out to, I think you identified Susie,
16 Justin -- I don't remember who the other person was -- Sean?

17 A It may be me; it may be Sean. I mean, somebody says: Hey, I got
18 contacted by the committee. You know, they want documents. They want me to
19 testify. Do you guys have -- is there any money -- I have counsel. Can you guys help
20 pay my legal bills?

21 Q Okay.

22 And presumably some people may want help with attorney's fees and e-discovery,
23 and some people may have counsel and just want e-discovery, and that's just -- do they
24 decide that? Do you decide that?

25 A We have a vendor that is doing a ton of work. And if they want to use the

1 vendor, it's fine that they use the vendor. That's it. I mean, that's what it comes down
2 to.

3 Q Okay.

4 And then, without getting into the deliberations, there is a process that they can
5 go through to request whether MAGA PAC will cover the expenses of that vendor?

6 A Yeah. If it's a -- if it's -- I mean, yeah. I mean, again, like I said, we have a
7 vendor. We already have a vendor. It's incredibly expensive to stand one up. They
8 have done e-discovery work in connection with your committee --

9 Q Okay.

10 A -- for other individuals who were represented by counsel.

11 Q And without going into -- you know, again, we just want to make sure that
12 when you say redact- -- the classifications that we just went over, those are -- actually, I
13 think we're going to talk about -- let me retract that.

14 Go back onto your -- I want to be cognizant of the time and I don't want to get us
15 off track, so --

16 [REDACTED] Mr. Cannon, if you could give us just 2 minutes.

17 Mr. Cannon. All right. I'm going to run to the restroom.

18 [REDACTED] Let's take just a couple-minute break.

19 Mr. Cannon. Okay.

20 [REDACTED] Thank you, sir.

21 [Recess.]

22 [REDACTED] Mr. Cannon, are you ready to go?

23 Mr. Cannon. Yeah. I want to just clarify one thing just so that we're clear.

24 2M was only doing COVID work when they started. That was what we initially
25 hired them for. But we were doing and asking them to do quite a bit of research, you

1 know, into the events that occurred on January 6th, as well, and get an understanding of
2 what was out there and what was in the public.

3 And, you know, that's all work product; that's all privileged. But they were doing
4 quite a bit of research for us as well, which is why the retainer, frankly, says it's research.

5

BY [REDACTED]

6 Q So, I guess, question: Who would've given them that instruction?

7 A I mean, it would've come from, you know, me.

8 Q You alone, or could it have come from Mr. Clark?

9 A Yeah, I mean, you know, we worked together.

10 Q Okay. And, to be clear, when you say "it would've come from me," do you
11 remember giving that instruction?

12 A I mean, I remember talking to them about doing research, yes.

13 Q And would you have had that conversation with Matt Clarke, or would you
14 have had that conversation with anyone else at 2M?

15 A It would've been -- Matt's the person I talk to at 2M, unless there's, like, a
16 technical issue that I don't understand.

17 Q Okay. So your instructions regarding what 2M should've been doing from
18 the beginning would've been from you directly to Matt Clarke?

19 A I mean, or Justin Clark. Yeah. I mean, we had conversations about the
20 scope of their engagement.

21 Q Okay.

22 And you kind of opened this door, so I don't want to go too far in, and I'm trying to
23 keep it to where you've opened it. But would you have emailed those instructions to
24 him or would you have had verbal conversations about what the scope of their research
25 should've been?

1 A It would've been all verbal conversations.

2 Q Okay.

3 BY 

4 Q And when you say "research," what does that mean? Open-source
5 research?

6 A Correct.

7 Q So, effectively, like, just searching online what was happening with the 6th?

8 A I mean, I'm not going to get into the details of what they were researching,
9 but it would have involved online research, yes.

10 Q Well, I guess what I'm -- your suggestion seemed to be that 2M -- that it's
11 labeled "research consulting" because they were doing research. But 2M is an
12 e-discovery company, correct?

13 A That is -- that is one of the services that they perform, yes.

14 Q That is the service that they're -- that is the core of what Matt Clarke
15 provides to clients, is it not?

16 A No, I can't speak to all of his other clients, but that is a lot of the work they
17 do for us. They also do some research for us.

18 Q And the vast majority of the work they do for you is related to their
19 e-discovery tools, correct?

20 A That's the vast majority of my interactions with them.

21 Q Yeah. Is there anyone else --

22 A I don't know what they're doing behind the scenes. I mean, you guys
23 are -- like, you're really asking a lot of questions about, like, how we're looking at what
24 happened on January 6th, and it's -- we're not trying -- I'm not trying to pull the wool over
25 anybody's eyes. I'm trying to be as helpful as I can here.

1 [REDACTED] No, we understand that. We're trying to understand certain things,
2 and we're trying to -- we're trying to understand certain things, but we're also trying to
3 kind of, like, reconcile things that may or may not be consistent or inconsistent. And, to
4 your point earlier, sometimes we think we understand it and somebody says, "Well, this
5 process is different," or somebody says, "Well, you have the wrong person; you should
6 really ask this."

7 So I understand what you're saying. You introduced, a moment ago, the
8 explanation that you asked them to do research, which is quite different than what we
9 had earlier understood you to be saying, which was that they're an e-discovery company
10 that reviews documents and is, I would say, reactive to requests, not necessarily proactive
11 in doing research.

12 And so what you just said was somewhat of a shift, and so we're trying to
13 understand the information that you just provided versus what it sounded like you were
14 saying earlier.

15 Mr. Cannon. No, I think I provided that information prior to the break as well. I
16 did say they were doing some research. That's it.

17

BY [REDACTED]

18 Q Yeah. I think what [REDACTED] is referring to is that you seemed to suggest
19 that the reason the FEC disclosures have "recount" and "research consulting" is because
20 2M was doing research. And the information that we've received is that the reason why
21 2M was paid millions of dollars by MAGA PAC was not because it was doing research; it
22 was because it was doing very important e-discovery work, needed to process a lot of
23 documents.

24 A That is correct.

25 Q Okay. So --

1 A Both of those things can be true at the same time.

2 Q Yeah. But we want to clarify, when you reference "research," any research
3 would've been a minority, more marginal part of the work that 2M was doing for MAGA
4 PAC. Is that fair?

5 A I can't say on day to day. I don't know.

6 BY [REDACTED]

7 Q Given what you just said about the work that you were asking them to do for
8 research at the beginning, what was your understanding of the part of that that was
9 recount-related?

10 A Because it all had to do with January 6th and the events of January 6th.

11 Q And your understanding is that if something has to do with the events of
12 January 6th it can be qualified as recount?

13 A That is not inconsistent with my understanding from outside counsel.
14 Correct.

15 Q Okay.

16 BY [REDACTED]

17 Q And, just to be clear, is it also your understanding that -- was it consistent
18 with your understanding from outside counsel that something that had to do with
19 responding to the COVID committee could also be labeled as research -- I mean, as
20 recount-related? Is that also part of that same understanding?

21 A I don't recall discussing the COVID committee with outside counsel.

22 Q I want to move to just understanding the different folks' role. In these
23 matters we've been discussing with 2M, what was Justin Clark's role in all of this?

24 A I mean, he was counsel.

25 Q I understand, but with regard to the work with 2M and the approval process,

1 what was he doing? Was he assisting you in the same kind of capacity of overseeing --

2 A Yeah. We're colleagues. We work on everything -- we work on stuff
3 together. Not everything together. We work on stuff together though.

4

BY [REDACTED]

5 Q Would you say that you have the primary responsibility on maintaining the
6 relationship with Mr. Clark and 2M?

7 A I don't know. I don't know how much he talks to -- how much Justin talks
8 to Matt Clarke. I talk to Matt Clarke fairly frequently. I don't know how often Justin
9 speaks to him.

10 Q I only asked because, a moment ago when I asked, I was trying to
11 understand from your reaction -- we're just trying to gauge, sometimes people have, like,
12 a contact partner or a contact that they interact with. We were just trying to figure out,
13 are you the relationship partner for 2M or do you both talk to him equally. We're just
14 trying to understand who's the more frequent contact with 2M.

15 A It's probably me.

16

BY [REDACTED]

17 Q And Mr. Clark has been involved from, is it fair to say, the conversion of
18 MAGA PAC to the present day with -- he's still involved with MAGA PAC; is that right?

19 A I mean, through elections.

20 Q Okay.

21 What about Mr. Dollman? Is he still doing work with MAGA PAC?

22 A I don't know Mr. Dollman -- I mean, I think he's at Red Curve. I'm not sure
23 what his employment relationship is right now.

24 Q Did Mr. Kushner have any involvement, as far as you're aware, with the
25 approval of expenses or expenditures from MAGA PAC?

1 A Probably during the -- well, from MAGA PAC? So post-conversion?

2 Q Yeah.

3 A No, I don't believe so.

4 Q Any other members of the Trump family that you're aware of having any
5 involvement post-conversion with MAGA PAC and its expenditures?

6 A No, not to my knowledge.

7 Q Just quickly, Mr. Cannon, some of the documents you provided, they're
8 just -- you provided an extensive amount of documents, but there are some documents
9 that seem to be missing, and I just want to get a sense from you whether there was a
10 reason why they're missing or whether it was by chance.

11 For example, there are letters that President Trump drafted to NARA regarding
12 the January 6th Committee's productions, whether objections, things of that nature, but I
13 don't believe we have any letters related to the COVID committee. Are you aware of
14 President Trump drafting any letters to them?

15 A No. I mean, this is all -- no. Those letters were sent by Mr. Clark. They
16 don't require -- right now, the COVID committee is not requiring a formal assertion of
17 executive privilege under the PRA. The letter from counsel is sufficient for them.

18 Q Okay. That's helpful.

19 A And, I mean, it really is going to the Archivist, right? And then the Archivist
20 consults with the Biden administration, and that's how a determination is made.

21 Q Yeah.

22 If you could just give us a moment, Mr. Cannon. We're trying to be efficient here
23 and see what else we have for you.

24 A That's okay.

25 Q Mr. Cannon, we're nearing the end. I just want to give Mr. Aguilar, who's

1 with us -- whether he has any questions or anything else he wants to put forward.

2 Mr. Aguilar. I don't, guys. I'm good. Thank you.

3 [REDACTED] Okay. Thank you, sir.

4 All right, Mr. Cannon, before we go, just one last question is with regard to your
5 attorney's fees. Are you paying your own attorney's fees, or is that being paid by a third
6 party?

7 Mr. Cannon. I have not discussed my arrangement on attorney's fees with my
8 counsel.

9 [REDACTED] I'm sorry?

10 Mr. Benson. Mr. Cannon's fees are not being paid by anyone.

11 [REDACTED] Well, I don't think that's what he said. He said he hasn't
12 discussed them with you, Mr. Benson.

13 So, Mr. Cannon, I guess, when you say you haven't discussed them with your
14 lawyer, the question would be more so, who is paying your attorney's fees?

15 Mr. Cannon. No one's paying my attorney's fees.

16 [REDACTED] So is it fair to say that you're paying your own attorney's
17 fees?

18 Mr. Cannon. It is -- Mr. Benson is undertaking this work on, I guess you could call
19 it, a pro bono basis.

20 [REDACTED] Oh, okay.

21 [REDACTED] Got it.

22 [REDACTED] Because we weren't -- we literally just weren't understanding, like,
23 what you were trying to say.

24 Mr. Cannon. No, you're jumping me on something, and I've got my wonderful
25 attorney here, and we have not had a discussion about that. I am --

1 [REDACTED] Does he know he's doing it pro bono, or is it pro bono now?

2 Mr. Cannon. That's the issue, right? And I'm absolutely serious about that.

3 Like -- that's all.

4 [REDACTED] Okay.

5 Mr. Cannon. We have not had that --

6 [REDACTED] No, I know. I've been at that dinner where you think they're paying,
7 but then it's unclear, and then it's like the check hasn't come yet. So I totally get it. I
8 totally get it.

9 Mr. Benson. Alex will have to take me out to dinner. Let's put it that way.

10 Mr. Cannon. Okay.

11 [REDACTED] And, to be clear, we ask this -- well, we try to remember to ask this of
12 all -- this is not a specific -- we ask this of all witnesses. It's not privileged information,
13 who's paying your attorney's fees. So I don't want you to feel, you know, that this is
14 something special to you. We try to ask everyone. So we just didn't ask you last time,
15 and we noticed that after the fact, so that's why we were following up this time.

16 So we would just ask that, to the extent that that changes and the answer is that
17 Mr. Benson is no longer doing this pro bono, we do not want to have -- if the information
18 subsequently changes and we don't have another interview with you, we would just ask if
19 you would voluntarily correct that. Because if for some reason it's a fact in the
20 investigation that later for some reason becomes different, we would like you to have the
21 opportunity to correct that if it changes, if that makes sense.

22 Mr. Cannon. No, I understand the request.

23 [REDACTED] Okay.

24 [REDACTED] All right, Mr. Cannon, we are done early, so we've got
25 21 minutes.

1 [REDACTED] Any questions that you have for -- no.

2 [REDACTED] You know, if you want to hang out, we're happy to stay on
3 with you, Mr. Cannon, if you want to spend some time with us.

4 [REDACTED] Now that we know Dan's free, we'll keep you --

5 [REDACTED] Yeah. We'll --

6 Mr. Benson. You guys can come to the dinner with me and Alex.

7 Mr. Cannon. We'll do it in Atlanta, [REDACTED] You can visit your family. It'll be fun.

8 [REDACTED] All right. I mean, if Dan's paying, I'm calling bones.

9 [REDACTED] Mr. Cannon, thank you for taking out the time again. We
10 know these are not great ways to spend one's afternoon, getting questioned, so we
11 appreciate you for taking out the time.

12 If at any time you want to correct anything or you remember something or you
13 think that for any reason we should know something, please don't hesitate to reach out.
14 We want to make sure we get this correct. So, please, if at any time you want us to
15 know something, please reach out to Dan, and he can let us know.

16 Otherwise, we will go off the record here.

17 Thank you both.

18 Thank you to our court reporters as well.

19 Mr. Cannon. Thank you.

20 Mr. Benson. Thank you.

21 [REDACTED] Thank you both. Have a great day.

22 [Whereupon, at 2:40 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date